

(DRAFT/UNAPPROVED)

**VIRGINIA BOARD OF PHARMACY
MINUTES OF TELEPHONE CONFERENCE CALL**

Thursday, October 28, 2010

Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

Orders/Consent Orders referred to in these minutes are available upon request

TIME & PURPOSE: Pursuant to § 54.1-2400(13) of the Code of Virginia, a telephone conference call of the Virginia Board of Pharmacy ("TCC") was held at 9:00 a.m., on October 28, 2010, to consider the summary suspension of the registration of Kelly N. Hayes to practice as a pharmacy technician in the Commonwealth of Virginia.

PRESIDING: Brandon K. Yi, Chair

MEMBERS PRESENT: Gill B. Abernathy
Jody H. Allen
John O. Beckner
Gerard Dabney
David C. Kozera
Robert M. Rhodes
Ellen B. Shinaberry
Pratt P. Stelly

STAFF PRESENT: Cathy M. Reiniers-Day, Deputy Executive Director
Caroline D. Juran, Acting Executive Director
Eusebia L. Joyner, Disciplinary Program Specialist
Howard Casway, Senior Assistant Attorney General
Mykl Egan, DHP Adjudication Specialist
Wayne T. Halbleib, Senior Assistant Attorney General

POLL OF MEMBERS: The Board members were polled as to whether they could have attended a regular meeting at the office in a timely manner for the purpose of hearing evidence in a possible summary suspension case. The Board members stated that they would not have been able to attend.

With nine members participating and one member unable to participate, it was established that a quorum could not have been convened in a regular meeting to consider this matter.

KELLY N. HAYES
Registration No. 0230-009090

Wayne T. Halbleib presented a summary of the evidence in this case.

Upon a motion by Mr. Dabney and duly seconded by Mr. Beckner, the Board unanimously voted that, with the evidence presented, the practice as a pharmacy technician by Kelly N. Hayes poses a substantial danger to the public; and therefore, said registration shall be summarily suspended; and that a Consent Order be offered to Ms. Hayes for the revocation of her registration in lieu of a hearing.

ADJOURN:

With all business concluded, the conference call adjourned at 9:15 a.m.

Cathy M. Reiniers-Day
Deputy Executive Director

Eusebia L. Joyner
Disciplinary Program Specialist

Brandon K. Yi, Chair

Date